

APPEAL

**United States District Court  
District of Massachusetts (Boston)  
CRIMINAL DOCKET FOR CASE #: 1:04-cr-10232-RWZ-ALL**

Case title: USA v. Machado

Date Filed: 08/10/2004

Assigned to: Judge Rya W. Zobel

**Defendant**

**James Machado (1)**  
*TERMINATED: 11/03/2005*  
*also known as*  
Michael Mederius (1)  
*TERMINATED: 11/03/2005*  
*also known as*  
James Perry, Jr. (1)  
*TERMINATED: 11/03/2005*

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**Pending Counts**

None

**Disposition**

**Highest Offense Level (Opening)**

None

**Terminated Counts**

21:846 Conspiracy to Distribute, and to Possess with Intent to Distribute, Marijuana

(1)

21:841(a) Possession of Marijuana with Intent to Distribute; 18:2 Aiding and Abetting

(2)

**Disposition**

Dismissed

Dismissed

**Highest Offense Level (Terminated)**

Felony

**Complaints**

None

**Disposition**


**Plaintiff**

USA

represented by **David G. Tobin**

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Date Filed	#	Docket Text
08/10/2004	 1	INFORMATION (Felony) as to James Machado (1) count(s) 1, 2. Received for filing. (Gawlik, Cathy) Modified text on 8/17/2005 (Costello, Helen). (Entered: 08/11/2004)

06/30/2005	●	NOTICE OF HEARING as to James Machado Change of Plea Hearing set for 7/14/2005 09:30 AM in Courtroom 12 before Judge Rya W. Zobel. (Urso, Lisa) (Entered: 06/30/2005)
07/11/2005	●	NOTICE OF RESCHEDULING as to James Machado Status Conference set for 7/19/2005 03:15 PM in Courtroom 12 before Judge Rya W. Zobel. (Urso, Lisa) (Entered: 07/11/2005)
07/19/2005	●	Electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel :Status Conference as to James Machado held on 7/19/2005 Change of Plea Hearing set for 8/16/2005 02:00 PM in Courtroom 12 before Judge Rya W. Zobel. (Urso, Lisa) (Entered: 07/20/2005)
08/16/2005	●	Electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel :Change of Plea Hearing as to James Machado held on 8/16/2005 Plea and Sentence set for 11/8/2005 02:00 PM in Courtroom 12 before Judge Rya W. Zobel. (Court Reporter Catherine Handel.) (Urso, Lisa) (Entered: 08/16/2005)
08/17/2005	●	Electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel :Status Conference as to James Machado held on 8/17/2005; Goverment to let court know by the end of the week what to do next; (Urso, Lisa) (Entered: 08/22/2005)
08/22/2005	●2	Response to Court's inquiry as to statute of limitations issue as to James Machado: (Attachments: # <u>1</u> # <u>2</u> )(Tobin, David) Modified on 8/23/2005 (Johnson, Jay). (Entered: 08/22/2005)
09/14/2005	●	Electronic Clerk's Notes for proceedings held before Judge Rya W. Zobel :Status Conference as to James Machado held on 9/14/2005; Goverment to let Court know by 9/16 what they are going to do with this case; (Urso, Lisa) (Entered: 09/15/2005)
09/20/2005	●3	NOTICE CANCELLING sentencing on 11/8/05 as to James Machado until procedural irregularities are resolved. (Urso, Lisa) (Entered: 09/21/2005)
09/24/2005	●4	NOTICE OF ATTORNEY APPEARANCE: Gary G. Pelletier appearing for James Machado (Pelletier, Gary) (Entered: 09/24/2005)
09/24/2005	●5	First MOTION to Dismiss <i>Informations</i> as to James Machado. (Pelletier, Gary) (Entered: 09/24/2005)
09/24/2005	●6	First MEMORANDUM in Support by James Machado re <u>5</u> First MOTION to Dismiss <i>Informations</i> (Pelletier, Gary) (Entered: 09/24/2005)
10/11/2005	●7	Opposition by USA as to James Machado re <u>5</u> First MOTION to Dismiss <i>Informations</i> (Johnson, Jay) (Entered: 10/12/2005)
10/13/2005	●8	NOTICE OF ATTORNEY APPEARANCE Glenn A. MacKinlay appearing for USA. (MacKinlay, Glenn) (Entered: 10/13/2005)
10/20/2005	●9	NOTICE OF ATTORNEY APPEARANCE: Daniel W. O'Malley

		appearing for James Machado (O'Malley, Daniel) (Entered: 10/20/2005)
11/03/2005	<u>10</u>	Judge Rya W. Zobel : Memorandum of Decision and OrderORDER entered granting <u>5</u> Motion to Dismiss as to James Machado (1) (Urso, Lisa) (Entered: 11/03/2005)
11/03/2005	<u>11</u>	Judge Rya W. Zobel : OrderORDER entered. JUDGMENT as to James Machado (1), Count(s) 1, 2, Dismissed (Urso, Lisa) (Entered: 11/03/2005)
11/09/2005	<u>12</u>	MOTION for Reconsideration re <u>11</u> Judgment, <u>10</u> Order on Motion to Dismiss as to James Machado by USA. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> ) (MacKinlay, Glenn) (Entered: 11/09/2005)
11/27/2005	<u>13</u>	MEMORANDUM in Opposition by James Machado re <u>12</u> MOTION for Reconsideration re <u>11</u> Judgment, <u>10</u> Order on Motion to Dismiss <i>Information</i> (Pelletier, Gary) (Entered: 11/27/2005)
02/27/2006	<u>14</u>	MOTION for Hearing as to James Machadoby USA. (MacKinlay, Glenn) (Entered: 02/27/2006)
03/03/2006		Judge Rya W. Zobel : endorsedORDER entered denying <u>12</u> Motion for Reconsideration as to James Machado (1): (Urso, Lisa) (Entered: 03/03/2006)
03/07/2006	<u>15</u>	NOTICE OF APPEAL by USA, USA as to James Machado Filing fee \$ 255. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov/clerks/transcript.htm">http://www.ca1.uscourts.gov/clerks/transcript.htm</a> MUST be completed and submitted to the Court of Appeals. Appeal Record due by 3/27/2006. (MacKinlay, Glenn) (Entered: 03/07/2006)